

## **DETAILED ACTION**

### ***Remarks***

This Office action is responsive to applicant's amendment filed July 30, 2008.

### ***Claim Rejections - 35 USC § 112***

The rejection of claims 1 and 3-10 under 35 U.S.C. 112, first paragraph has been withdrawn.

### ***Claim Rejections - 35 USC § 102 and 103***

The rejection of claims 1, 4-6, 9 and 10 under 35 U.S.C. 102(b) based on JP 2002-298825 (JP '825) has been withdrawn.

The rejection of claims 3 and 7 under 35 U.S.C. 103(a) based on JP '825 has been withdrawn.

The examiner notes the amendment to the present claims now reciting the charge collectors being substantially planar and parallel to said sides of said battery element with the connection of the lead terminals to the charge collectors being horizontal. To this end, while JP '825 teaches a horizontal connection between the charge collectors [4a] and the terminals [1, 2] in Figure 7 and Figure 10 (albeit concurrently with a vertical connection), the charge collectors in either embodiment are non-planar insofar as having a bent shape in order to accommodate the concurrent vertical connection shown in the Figures. Thus, the examiner concedes with applicant's assertion that this aspect of the invention is not taught or suggested by JP '825.

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*Allowable Subject Matter*

Claims 1 and 3-10 are allowed.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian Mercado whose telephone number is (571) 272-1289. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

/J. M./  
Examiner, Art Unit 1795

/PATRICK RYAN/  
Supervisory Patent Examiner, Art Unit 1795

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